

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:15-CV-370

|                                |   |                                 |
|--------------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA,      | ) |                                 |
|                                | ) | <b>COMPLAINT FOR FORFEITURE</b> |
| Plaintiff,                     | ) | <b><u>IN REM</u></b>            |
|                                | ) |                                 |
| v.                             | ) |                                 |
|                                | ) |                                 |
| WILLIAMS' PERSONAL PROPERTY    | ) |                                 |
| SPECIFICALLY DESCRIBED AS:     | ) |                                 |
| A CHARTER ARMS .44 CALIBER     | ) |                                 |
| BULLDOG REVOLVER, SERIAL       | ) |                                 |
| NUMBER 228573, AND ANY AND ALL | ) |                                 |
| ACCOMPANYING AMMUNITION,       | ) |                                 |
|                                | ) |                                 |
| Defendants.                    | ) |                                 |

The United States of America, by the United States Attorney for the Eastern District of North Carolina, states as follows:

1. This is a civil action in rem brought to enforce the provision of 18 U.S.C. § 924(d)(1), which provides that with respect to any firearm used in a knowing violation of 18 U.S.C. Section 922(g)(1), seizure and forfeiture shall be required.

2. This Court has subject matter jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355(a). The Court has in rem jurisdiction by virtue of 28 U.S.C. § 1355(b). Venue in this district is proper by virtue of 28 U.S.C. §§ 1395(b).

3. The defendants were seized in Wake County, North Carolina and are currently in the custody of the Federal Bureau

of Investigation, Raleigh, North Carolina, within the jurisdiction of this Court.

4. The potential claimant in this action is Jason Antwan Williams.

5. The potential claimant, Jason Antwan Williams, was indicted on October 17, 2012 on both drug and firearms charges, including violations of 18 U.S.C. § 922(g)(1) and 922(k). The Indictment included a forfeiture notice regarding the defendant firearm and ammunition in this proceeding. On September 6, 2013, Williams pled guilty to all counts of the Indictment, without benefit of a written plea agreement. However, no forfeiture order was sought in the criminal proceeding. Such indictment and plea constitute a basis for the forfeiture of the defendant property.

6. The defendants were used in a knowing violation of 18 U.S.C. § 922(g), in that they were possessed in or affecting commerce by a person who has been convicted in court of a crime punishable by imprisonment for a term exceeding one year and had been shipped and transported in interstate commerce having the manufacturer's serial number removed, altered, and obliterated. They are, therefore, subject to forfeiture to the United States of America pursuant to 18 U.S.C. § 924(d)(1).

WHEREFORE, in accordance with Supplemental Rule G(3)(b)(i), the plaintiff requests that the Clerk issue a warrant of arrest

in rem for the defendants; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that judgment be entered declaring the defendants be forfeited to the United States of America for disposition according to law, including destruction; and that the United States of America be granted such other relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted this 31<sup>st</sup> day of July, 2015.

THOMAS G. WALKER  
United States Attorney

BY: /s/ Stephen A. West  
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VERIFICATION

I, Stephen A. West, Assistant United States Attorney for the Eastern District of North Carolina, declare under penalty of perjury, as provided by 28 U.S.C. Section 1746, the following:

That the foregoing Complaint for Forfeiture is, to the best of my information and belief, true and correct.

This the 31st day of July, 2015.

/s/ Stephen A. West  
STEPHEN A. WEST  
Assistant United States Attorney  
Civil Division